

UNITED STATES BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re: ) Chapter 7  
 )  
SHAYLA N. BUTLER, ) Bankruptcy No. 25-02227  
 )  
Debtor. ) Honorable Jacqueline P. Cox

**NOTICE OF MOTION**

TO: See attached list

PLEASE TAKE NOTICE that on **Tuesday, May 13, 2025, at 1:00 p.m.**, I will appear before the Honorable Jacqueline P. Cox, or any judge sitting in that judge's place, **either** in courtroom 680 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn Street, Chicago, IL 60604, **or** electronically as described below, and present the **Application of Chapter 7 Trustee to Employ and Retain Christopher Anthony and Keller Williams ONEChicago as Real Estate Broker Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Bankruptcy Rule 2014**, a copy of which is attached.

**Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom for Government. All others must appear in person.**

**To appear by Zoom using the internet,** (1) go to this link: <https://www.zoomgov.com/>. (2) Enter the meeting ID 1612732896. (3) Enter the passcode 778135.

**To appear by Zoom using a telephone,** (1) call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. (2) Enter the meeting ID 1612732896. (3) Enter passcode 778135.

**When prompted identify yourself by stating your full name.**

**To reach Judge Cox's web page** go to [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov) and click on the tab for Judges.

**If you object to this motion** and want it called on the presentment date above, you may file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may call the matter regardless.

Date: May 6, 2025

**DAVID P. LEIBOWITZ, not individually, but as the Chapter 7 Trustee of the Debtor's Estate**

By: \_\_\_\_\_ /s/ David P. Leibowitz

David P. Leibowitz (ARDC # 1612271)  
Law Offices of David P. Leibowitz, LLC  
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312.662.5750  
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**CERTIFICATE OF SERVICE**

I, Linda A. Green,

an attorney, certify

that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method shown on May 6, 2025, at 5:00 p.m.

/s/ Linda A. Green

**SERVICE LIST**

**Parties served via electronic notice through CM/ECF:**

Adam Brief Ustpregion11.es.ecf@usdoj.gov

Joel P Fonferko bkpleadingsNORTHERN@il.cslegal.com

Jeffrey L. Gansberg jeffrey.l.gansberg@usdoj.gov

David P Lloyd courtdocs@davidlloydlaw.com

**Parties served via first class U.S. mail:**

Shayla N. Butler  
20173 Ash Lane  
Lynwood, IL 60411

Christopher Anthony  
Keller Williams ONEChicago  
2211 N. Elston Ave., Suite 104  
Chicago, IL 60614

**UNITED STATES BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**In re:** )      **Chapter 7**  
              )  
**SHAYLA N. BUTLER,** )      **Bankruptcy No. 25-02227**  
              )  
**Debtor.**      )      **Honorable Jacqueline P. Cox**

**APPLICATION OF CHAPTER 7 TRUSTEE TO EMPLOY AND RETAIN  
CHRISTOPHER ANTHONY AND KELLER WILLIAMS  
ONECHICAGO AS REAL ESTATE BROKER PURSUANT TO  
11 U.S.C. §§ 327(a) AND 328(a) AND BANKRUPTCY RULE 2014**

David P. Leibowitz (“Trustee”), not individually but as the Chapter 7 Trustee of the estate of Shayla N. Butler (“Debtor”), pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rules of Bankruptcy Procedure 2014 and 2016, hereby moves for an order authorizing the Trustee to employ Christopher Anthony and Keller Williams ONEChicago as the Trustee’s real estate broker to market and sell the real property commonly known as 1750 183rd Street, Homewood, IL 60430. In support of this Application, the Trustee relies upon the *Declaration of Christopher Anthony of Keller Williams ONEChicago in Support of the Trustee’s Application for an Order Approving the Employment and Retention of Christopher Anthony and Keller Williams ONEChicago as Trustee’s Real Estate Broker* (the “Anthony Declaration”), a copy of which is attached hereto as Exhibit A. In further support of this Application, the Trustee respectfully states the following:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over this case pursuant to 28 U.S.C. § 1334 and venue is proper pursuant to 28 U.S.C. § 1408.

2. By Local Rule 40.3.1(a) of the United States District Court for the Northern District of Illinois, the District Court has referred all bankruptcy cases to the Bankruptcy Court for initial determination, as permitted by 28 U.S.C. § 157(a).

3. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (O).

### **FACTUAL AND PROCEDURAL BACKGROUND**

4. Debtor filed a voluntary chapter 7 petition on February 14, 2025 (the “Petition Date”). David P. Leibowitz is the duly appointed, qualified, and acting chapter 7 trustee in this case.

5. On the Petition Date, Debtor owned the real property commonly known as 1750 183rd Street, Homewood, IL 60430 (the “Property”).

6. The Trustee believes that the Property has value available for distribution to Debtor’s creditors. He therefore, by this motion, seeks authorization to retain Christopher Anthony and Keller Williams ONEChicago as his broker to market and sell the Property.

7. The Trustee intends to retain Christopher Anthony and Keller Williams ONEChicago (collectively, “KW”) on the terms and conditions set forth in the Exclusive Right to Sell Listing Agreement (the “Listing Agreement”) attached hereto as **Exhibit B**.

8. As set forth in the Listing Agreement, KW will receive a commission of 5.0% of the purchase price plus \$195 (the “KW Commission”); provided, however, that no commission shall be payable unless and until the Property is sold, and any commission earned shall only be payable from the proceeds of sale at closing. In the event the buyer is represented, KW will pay a portion of the KW Commission, constituting 2.5% of the purchase price minus \$395, to the buyer’s broker.

9. Any sale will be conditioned upon Court approval pursuant to motion made under §363 of the Bankruptcy Code.

10. The Trustee intends to market the Property for \$265,000.00

**RELIEF REQUESTED**

11. The Trustee requests that this Court enter an order authorizing the Trustee to employ and retain Christopher Anthony and Keller Williams ONEChicago as the Trustee's real estate broker to market and sell the Property.

**BASIS FOR RELIEF REQUESTED**

12. Section 327(a) of the Bankruptcy Code provides in pertinent part:

Except as otherwise provided in this section, the trustee, with the court's approval, may employ one or more attorneys, accountants, appraisers, auctioneers, or other professional persons that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under this title.

13. Section 328(a) permits the Trustee, subject to this Court's approval, to employ a professional person under Section 327 "on any reasonable terms and conditions of employment, including ... on a fixed or percentage fee basis."

14. The Trustee believes that the services to be provided by KW will provide a benefit to the estate and that its retention is in the best interests of creditors and other parties in interest.

15. The Trustee is familiar with KW generally, and with the caliber of service provided by real estate agent Christopher Anthony in particular, and has selected KW because of its extensive experience and knowledge of the real estate market in which the Property is located.

16. To the best of the Trustee's knowledge, information, and belief, and except as noted herein or in the Anthony Declaration: (a) neither Keller Williams ONEChicago nor

Christopher Anthony has any connection with the Debtor, her creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee; (b) Christopher Anthony and Keller Williams ONEChicago are “disinterested persons” as that term is defined in § 101(14) of the Bankruptcy Code; and (c) neither Keller Williams ONEChicago nor Christopher Anthony holds or represents any interest adverse to the Debtor’s estate.

**NOTICE**

17. Notice of this motion was provided to: (a) the Debtor; (b) her counsel; (c) the Office of the United States Trustee; (d) KW; and (e) all parties that have requested or receive notice through CM/ECF. In light of the nature of the relief requested, the Trustee requests that this Court find the notice provided for herein sufficient under the circumstances and waive and dispense with any further notice requirements.

**WHEREFORE**, the Trustee requests that the Court enter an order (i) authorizing and approving, but not directing, the employment of Christopher Anthony and Keller Williams ONEChicago as the Trustee’s real estate broker to market and sell, pursuant to the terms and conditions set forth in the Listing Agreement, the real property commonly known as 1750 183rd Street, Homewood, IL 60430; and (ii) granting such further relief as is just.

**DAVID P. LEIBOWITZ, not individually, but solely in his capacity as chapter 7 trustee of the Debtor’s estate**

By: /s/ David P. Leibowitz  
David P. Leibowitz (ARDC # 1612271)  
Law Offices of David P. Leibowitz, LLC

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